

EXHIBIT A

SUPERIOR COURT BERGEN COUNTY
FILED

APR 29 2008


DEPUTY CLERK

LAW OFFICES
WILLIAM R. NUNNO
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(201) 342-5022
Attorney for Plaintiff, James Fouskey

JAMES FOUSKEY,

Plaintiff,

vs.

CIRCUIT CITY STORES INC., WAYNE
VF, LLC, VORNADO TRUST,
JOHN DOES 1-20 AND ABC
CORPS. 1-20 (fictitious names),

Defendant (s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

DOCKET NO.: BER-L- 3271-08

CIVIL ACTION

COMPLAINT, JURY DEMAND,
DESIGNATION OF TRIAL ATTORNEY,
DEMAND FOR ANSWERS TO UNIFORM
FORM C AND FORM C2
INTERROGATORIES AND DEMAND FOR
INSURANCE INFORMATION

The plaintiff, JAMES FOUSKEY, who resides at 40 Sylvan Avenue, in the City of
Clifton, County of Passaic and State of New Jersey, by way of complaint against the defendants,
says:

FIRST COUNT

1. On or about December 2, 2007, the plaintiff, JAMES FOUSKEY, was an invitee on
premises located at 571 Route 46, in the Township of Wayne, County of Passaic and State of
New Jersey.

2. At the said time and at all times herein referred to, the premises were owned, operated, maintained, and controlled by the defendant, CIRCUIT CITY STORES, INC., WAYNE VF, LLC, VORNADO TRUST and/or JOHN DOES 1-20 and ABC CORPS 1-10 (fictitious names).

3. At the said time and place, the plaintiff, JAMES FOUSKEY, slipped and fell on a snow and ice covered ramp which was carelessly and negligently maintained, creating an unsafe, hazardous and dangerous condition, and further, the defendant, CIRCUIT CITY STORES INC., WAYNE VF, LLC, VORNADO TRUST and/or JOHN DOES 1-20 and ABC Corps. 1-10 (fictitious names), failed to make a reasonable inspection of said premises in order to determine the existence of said condition, although the defendant, CIRCUIT CITY STORES INC., WAYNE VF, LLC, VORNADO TRUST and/or JOHN DOES 1-20 and ABC Corps. 1-10 (fictitious names), knew or should have known of the condition.

4. As a result of the aforesaid negligence of the defendant(s), the plaintiff, JAMES FOUSKEY, was injured, disabled and disfigured, suffering severe, painful and permanent injuries, extensive medical and hospitalization bills, grievous pain and suffering, was unable to attend her usual duties and was otherwise damaged.

WHEREFORE, the plaintiff, JAMES FOUSKEY, demands judgment for damages against the defendant(s), CIRCUIT CITY STORES INC., WAYNE VF, LLC, VORNADO TRUST and/or JOHN DOES 1-20 and ABC Corps. 1-10 (fictitious names), together with interest and costs of suit.

JURY DEMAND

Plaintiff, JAMES FOUSKEY, hereby demands a trial by a jury of six (6) persons on all issues so triable.

DESIGNATION OF TRIAL ATTORNEY

PURSUANT to Rule 4:25-4, Alisa Nunno Di Chiara, Esquire, is hereby designated as trial counsel in the above-captioned litigation on behalf of Law Offices of William R. Nunno.

DEMAND FOR ANSWERS TO INTERROGATORIES

Plaintiff, JAMES FOUSKEY, demands that Defendant(s), CIRCUIT CITY STORES INC., WAYNE VF, LLC, VORNADO TRUST and/or JOHN DOES 1-20 and ABC Corps. 1-10 (fictitious names), answer Uniform Form C and Uniform Form C2 Interrogatories, as set forth in the New Jersey Court Rules, within the time provided by the Court Rules.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to N.J.R. 4:10-2(b) demand is hereby made that you disclose to the undersigned whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

YES ()

NO ()

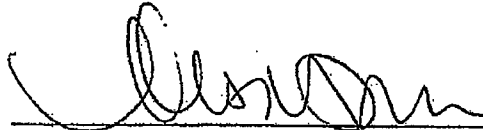
If the answer is "yes" attach a copy of each or in the alternative state, under oath or certification (a) number (b) name and address of insurer or issuer (c) inception and expiration dates (d) names and addresses of all persons insured thereunder (e) personal injury limits (f) property damage limits (g) medical payment limits (h) name and address of person who has custody and possession thereof (i) where and when each policy or agreement can be inspected

and copied.

CERTIFICATION


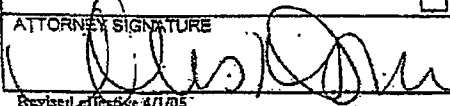
The matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding, and no other action or arbitration proceeding is contemplated.

Counsel is aware of no other party who should be joined in this action.



ALISA NUNNO DI CHIARA, ESQUIRE
Attorney for Plaintiff

Dated: 4-28-08

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
 <p>Use for initial Law Division – Civil Part pleadings (not motions) under Rule 4:5-1. Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or if attorney's signature is not affixed.</p>		PAYMENT TYPE: CK <input type="checkbox"/> CC <input type="checkbox"/> CA <input type="checkbox"/>	
		CHG/CK NO:	
		AMOUNT:	
		OVERPAYMENT:	
BATCH NUMBER:			
ATTORNEY/PRO SE NAME Alisa Nunno DiChiara		TELEPHONE NUMBER (201) 342-5022	COUNTY OF VENUE Bergen
FIRM NAME (if applicable) Law Office William R. Nunno		DOCKET NUMBER (When available) BER-L 3271-08	
OFFICE ADDRESS 45 Essex Street, Suite 201 Hackensack, NJ 07601		DOCUMENT TYPE Complaint JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) James Fouskey, Plaintiff		CAPTION Fouskey vs Circuit City Stores Inc., et al	
CASE TYPE NUMBER (See reverse side for listing) 605	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY, IF KNOWN <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
A. DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER-EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) _____ <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
B. DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION:			
<input checked="" type="checkbox"/> DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION: _____	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE: _____	
ATTORNEY SIGNATURE 			

SIDE 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I — 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT
- 505 OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (SUMMARY ACTION)

Track II — 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 502 ASSAULT AND BATTERY
- 603 AUTO NEGLIGENCE — PERSONAL INJURY
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE — PROPERTY DAMAGE
- 699 TORT — OTHER

Track III — 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV — Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Mass Tort (Track IV)

- 240 REDUX/PHEN-FEN (formerly "DIET DRUG")
- 248 CIBA GEIGY
- 254 PPA
- 601 ASBESTOS
- 619 VIOXX

999 OTHER (Briefly describe nature of action) _____

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category:

☐

Verbal Threshold

☐

Putative Class Action

☐

Title 59